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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/774,503

02/10/2004

Teresa Vilarasau Alegre

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10/06/2006

JAMES W. PRAVEL

PRAVEL INTELLECTUAL PROPERTY LAW, PC

1800 DIAGONAL ROAD

SUITE 600

ALEXANDRIA, VA 22314

EXAMINER

SNIDER, THERESA T

ART UNIT

PAPER NUMBER

1744

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/774,503	VILARASAU ALEGRE, TERESA	
	<b>Examiner</b>	<b>Art Unit</b>	
	Theresa T. Snider	1744	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

2. The disclosure is objected to because of the following informalities:

Exemplary of such: .

Page 2, line 9, 'with' should be deleted.

Page 7, line 34, '4' should be replaced with '2'.

Appropriate correction is required.

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: it is unclear as to where in the specification is disclosed the subject matter of claims 25 and 26.

### ***Claim Objections***

4. Claims 12-26 are objected to because of the following informalities: Claims 12-26, line 1, 'A' should be replaced with 'The'. Appropriate correction is required.
5. Claim 16 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the

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claim(s) in independent form. The claims fail to positively recite the presence of cleaning products (for instance, no 'source' has been recited).

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Exemplary of such:

Claim 18, line 2, it is unclear as to what is meant by a 'straight' brush member.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 11-14 and 20-26 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Landry et al..

Landry et al. discloses a cleaning robot having a body and rotating members (fig. 1, #12,16).

Landry et al. discloses a cleaning device attached to the robot (fig. 1, #130).

Landry et al. discloses a suctioning device (fig. 1, #15).

Landry et al. discloses a control system (fig. 1, #22).

With respect to claim 12, Landry et al. discloses the rotating members being rotating tracks (fig. 2, #16).

With respect to claim 13, Landry et al. discloses the tracks positioned on the outside of the body and drives positioned on the inside of the body (fig. 4, #16, col. 2, lines 55-60).

With respect to claim 14, Landry et al. discloses the cleaning device being a nozzle (fig. 1, #13).

With respect to claim 20, Landry et al. discloses the control system including a monitor (fig. 1, #24).

With respect to claim 21, Landry et al. discloses a mini-camera (fig. 1, #14).

With respect to claim 22, Landry et al. discloses a lighting device (col. 2, line 66).

With respect to claim 24, Landry et al. discloses a jack to connect the control system to the robot (fig. 1, #18,19).

With respect to claim 25, Landry et al. discloses the control system including an image storage system (col. 5, lines 12-16).

With respect to claim 26, Landry et al. discloses the control system providing power to the robot with a cable member (col. 4, lines 9-18).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landry et al..

Landry et al. discloses a similar cleaning device however fails to disclose a compressor for spraying.

It would have been obvious to one of ordinary skill in the art to determine the most appropriate device to allow for spraying of a cleaning product in Landry et al. to allow for the most effective distribution of the cleaning product.

With respect to claim 16, it would have been obvious to one of ordinary skill in the art to determine the most appropriate cleaning products to be used in Landry et al to allow for the most effective removal of the desired contaminants.

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13. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landry et al. as applied to claim 11 above, and further in view of Matsuura et al..

Landry et al. discloses a similar cleaning device however fails to disclose a scraping device.

Matsuura et al. discloses a cleaning device having a cleaning both with a scraping device (fig. 3, #13). It would have been obvious to one of ordinary skill in the art to provide the scraping device of Matsuura et al. in Landry et al. to allow for mechanical removal of adhered contaminants from a surface to allow for the most effective cleaning thereof.

With respect to claim 18, Matsuura et al. discloses a brush member having substantially parallels bristles and activated by a rotating device (fig. 3, #30,15).

14. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landry et al. as applied to claim 11 above, and further in view of Song et al..

Landry et al. discloses a similar cleaning device however fails to disclose a skirting.

Landry et al. discloses the suctioning device including a pipe member and a cavity (fig. 4, #15,61). Song et al. discloses the use of a skirting on a suction cavity (fig. 2, #40). It would have been obvious to one of ordinary skill in the art to provide the skirting of song et al. in Landry et al. to ensure that the cavity is in sealing contact with a surface to allow for the most effective suctioning of material therefrom by preventing material from escaping back into the duct.

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15. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landry et al. as applied to claim 22 above, and further in view of Ruff.

Landry et al. discloses a similar cleaning device however fails to disclose an LED.

Ruff discloses a cleaning device that uses an LED as a lighting device (col. 2, lines 60-66). It would have been obvious to one of ordinary skill in the art to provide the LED of Ruff in Landry et al. to provide for a lightweight, reliable light source for the most effective illumination of the desired area.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wilson discloses a cleaning robot with connection to an air compressor. Ryan discloses a cleaning robot with a suctioning device. Judson discloses a cleaning robot having rotating members, a cleaning device, a suctioning device and a control system. Watanabe and Melendres disclose cleaning devices having substantially parallel bristles.

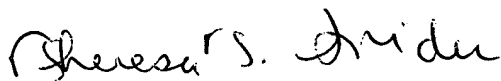
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Theresa T. Snider".

Theresa T. Snider  
Primary Examiner  
Art Unit 1744

9/25/06